United Nations A/HRC/38/47/Add.2

General Assembly

Distr.: General
25 May 2018

Original: English

Human Rights Council
Thirty-eighth session
18 June–6 July 2018
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Report of the Special Rapporteur on violence against women, its causes and consequences, on her mission to the Bahamas*

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the report of the Special Rapporteur on violence against women, its causes and consequences, Dubravka Šimonović, on her visit to the Bahamas from 11 to 15 December 2017. The Special Rapporteur examines the gaps and challenges faced by the Bahamas in fulfilling its obligation to eliminate violence against women, its causes and consequences, and recommends measures for preventing and combating violence against women in the country.

* The report was submitted after the deadline in order to reflect consultations with the State.

GE.18-08378(E)
1808378

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* Circulated in the language of submission only.

I. Introduction

1. At the invitation of the Government, the Special Rapporteur on violence against women, its causes and consequences, Dubravka Šimonović, visited the Bahamas from 11 to 15 December 2017. The objectives of the visit were to assess the scope of violence against women in the country and the measures taken by the authorities to prevent, investigate and prosecute perpetrators of violence against women and provide protection and remedies to women and girl victims. During her visit, the Special Rapporteur held meetings in New Providence and Grand Bahama.

2. During her mission, the Special Rapporteur met with a wide range of State officials, including the Minister of Social Services and Urban Development and her staff from the Department of Gender and Family Affairs, the Minister of Foreign Affairs, the Minister of State for Grand Bahama and representatives of the Ministry of Education, the Ministry of Youth, Sports and Culture, the Ministry of National Security, the Ministry of Health and the Office of the Attorney General. Additionally, she also attended a standing meeting of the Royal Police Force. She visited the Carmichael Road detention centre and a safe house where migrants in an irregular situation are held. Furthermore, she also met with judges from the Supreme Court and with members of parliament and senators.

3. In addition, the Special Rapporteur exchanged views with members of the National Task Force for Gender-Based Violence.

4. During her visit, the Special Rapporteur also had the opportunity to arrange meetings with representatives from civil society, including the Bahamas Crisis Centre, who play a crucial role in addressing gender-based violence in the country. She also met with women survivors of gender-based violence. She expresses her gratitude to those women who had the courage and strength to share their experiences with her.

5. She also met with representatives of the Pan American Health Organization, the World Health Organization and the Office of the United Nations High Commissioner for Refugees.

6. The Special Rapporteur thanks the Government of the Bahamas for inviting her to carry out an official visit and expresses her gratitude to the Government for its excellent cooperation. She would like to warmly thank the representatives of civil society organizations, academics and other stakeholders she met for their tireless efforts in contributing to the elimination of violence against women in the country.

II. General context

7. The original inhabitants of the Bahamas, indigenous Lucayan, were living in its territory at the time of the first European contact in the late fifteenth century. A few decades later, the inhabitants began to be subjected to what would become long-term European-dominated settlements, which used African slave labour. The Bahamas became a British crown colony in 1717 and only gained its independence from the United Kingdom of Great Britain and Northern Ireland in 1973.[1] Confronted with a colonial legacy of racial separation and inequality, Bahamian women — and men — affected by social, political and economic inequality, have had immense challenges to overcome.

8. Comprised of about 700 different islands in the North Atlantic Ocean, the topography of the Bahamas is unique. In the light of its vulnerability to climate change, the country has designed responsive strategies to ensure women and men can obtain services and aid at all times, especially when emergency responders are overwhelmed, or simply disconnected. However, social services or legal assistance for women victims of violence in an archipelago are by nature more difficult to provide than in other contexts.

[1] See, for example, http://thecommonwealth.org/our-member-countries/bahamas/history.

9. Today, the Bahamas is one of the wealthiest Caribbean countries, with an economy heavily dependent on tourism and financial services. It has a population, which is largely of African descent, of over 375,000. The Constitution proclaims that the "People of this Family of Islands recognizes that the preservation of their Freedom will be guaranteed by ... an abiding respect for Christian values and the rule of law." In reality, violence against women in the Bahamas is deeply rooted in existing patriarchal attitudes and persisting gender stereotypes, embedded in sex- and gender-based laws, customs and practices that discriminate against women.

III. Manifestations of violence against women, its causes and consequences

Violence against women and sex-based discrimination

10. Recently, the Bahamas has started to address violence against women, which is widespread, largely perceived as a private matter and accepted as normal. Deep-rooted patriarchal stereotypes regarding the superiority of men are adversely affecting women and girls. In its periodic report to the Committee on the Elimination of Discrimination against Women in 2017, the Government of the Bahamas recognized that: "The perceptions of men regarding violence in marriage are varied. It is felt, however, that more men than women perceive violence between married people as acceptable. This perception may be rooted in the tradition of the man as the head of the household and the perception of male and female roles within the family." It went on to refer to a recent study conducted by the College of the Bahamas, which had revealed that young men still maintained the perception that the male sex was superior to the female and that they had the right, even a responsibility, to dominate the female. Sadly, there were also some women who shared those views (see CEDAW/C/BHS/6, para. 29). The former head of the Gender and Family Affairs Department also found that patriarchal attitudes and deep-rooted stereotypes persisted, despite the high academic and economic achievement of women, and led to unconscious bias and discrimination against women in public and private life. It also perpetuated sex-based inequalities in all areas of life and the normalization of violence against women.[2]

11. Unfortunately, there is no awareness of the linkages between violence against women and sex-based discrimination in law and in practice as a cause and a consequence of violence against women. Essentially, violence against women is a form of discrimination against women. The varying and intersecting forms of discrimination faced by women in society may cause or have an aggravating negative impact, which may result in violence against women and girls.

12. Violence against women and girls is often seen as a private matter in the Bahamas, in which the State should not interfere. Moreover, when the authorities elaborate laws, policy instruments and action plans, they do not apply a holistic human rights-integrated approach to violence against women, which would include, for instance, targeted prevention measures for sex-based inequalities, integrated services for victims and prosecution for perpetrators. Neither the principle of equality between women and men, nor the prohibition of sex-based discrimination, are enshrined in national legislation. A culture of acceptance interrelated with strong patriarchal gender norms is prevalent, which can lead to failures in the response of State entities.

Femicide and sexual violence

13. The murder rate in the Bahamas more than doubled between 2006 and 2016 and it is now among the highest in the Caribbean. In 2014, the murder rate was at an alarming rate of 31.9 per 100,000 persons, mainly motivated by drugs and other organized crime activities. That is significantly higher than the average for both the Caribbean region (16)

[2] See Gaynel Curry, "Overview of violence against women: the Commonwealth of the Bahamas" (2016), p. 15.

and the world (6.2).[3] The Bahamas now has the eleventh highest homicide rate in the world, triple the rate considered by the World Health Organization as an epidemic. According to a study carried out by Everytown Gun Safety Support Fund, when a gun is present in a domestic violence situation, it increases the risk of homicide for women by 500 per cent.[4] According to the Royal Bahamas Police Force, there were 831 murders between 2010 and 2016, of which 91 were domestic murders. In September 2017, the Minister of National Security announced that the Government had established a new multi-agency operation across law enforcement departments to deal with the challenges of guns, gangs, drugs and human trafficking. The Special Rapporteur believes urgent measures aimed at regulating access to firearms are necessary. She refers to general recommendation No. 35 (2017) of the Committee on the Elimination of Discrimination against Women on gender-based violence against women, updating general recommendation No. 19, in which the Committee calls on States to address factors that heighten women's risk of exposure to serious forms of gender-based violence, such as the accessibility and availability of firearms, including their exportation, high rates of criminality and the pervasiveness of impunity, which may be increased by armed conflict or heightened insecurity.

14. In a 2007 survey, the United Nations Office on Drugs and Crime (UNODC) demonstrated that the prevalence of rape was a major issue in the Bahamas. While the worldwide average for rape was 15 per 100,000 persons, the Bahamas had an average of 133, a number much higher than many of its Caribbean neighbours.[5] A number of studies indicate that the first sexual experience of sexually active girls was "forced" or "somewhat forced".[6] Coerced intimate partner sexual intercourse, or marital rape, and other forms of intimate partner violence are a serious problem in the country.

15. Incidents of sexual violence are underreported. For example, reports from rape crisis centres throughout the Caribbean suggest that only one in eight victims who go to centres for help report the offence to the police.[7] In a similar vein, emergency room data shows that cases of rape treated at the Princess Margaret Hospital alone were nearly 1.6 times higher than those recorded by the national police.[8]

Domestic violence

16. According to the Organization for Economic Cooperation and Development, one in three women in Latin America and the Caribbean has experienced domestic violence.[9] In 2009, a survey of nearly 600 college students in Nassau found that about 21 per cent of students lived in a household that had experienced domestic violence.[10] In 2013, the director of the Bahamas Crisis Centre described domestic violence as an "epidemic" that had been occurring for a number of years.[11] However, domestic violence within intimate partner relationships is still largely a private matter, with low levels of reporting. It is well known that domestic violence has a tremendously negative impact on both parents and children, who suffer emotional and behavioural difficulties, including depression, development delays, educational attention problems, suicidal tendencies and involvement in violence.

17. Under the 2009 Police Force Act, the Police Commissioner is responsible each year for preparing a plan for the minister that includes priorities, objectives and targets for the

[3] Inter-American Development Bank (IADB), *Crime and Violence in The Bahamas* (2016), p. 18.

[4] See https://everytownresearch.org/reports/guns-and-violence-against-women/.

[5] See UNODC and the Latin America and the Caribbean Region of the World Bank, *Crime, Violence, and Development: Trends, Costs and Policy Options in the Caribbean* (2007), p. 12.

[6] See National Task Force for Gender-Based Violence, *Strategic Plan to Address Gender-Based Violence* (2015), p. 18.

[7] Ibid., p. 21.

[8] IADB, *Crime and Violence in The Bahamas*, p. 10.

[9] See www.oecd.org/dev/development-gender/Brochure_SIGI_LAC_web.pdf.

[10] Susan J. Plumridge and William J. Fielding, "Domestic violence in the homes of college students", *College of the Bahamas Research Journal*, vol. 15 (2009).

[11] "1,200 women abused", *Bahama Journal*, 12 November 2013. Available from http://jonesbahamas.com/1200-women-abused/.

year. Unfortunately, the Commissioner's policing plans have made no mention of domestic violence or gender-based violence against women since 2011.[12]

Child abuse

18. Corporal punishment of girls and boys is widespread and legal. It is perceived as an acceptable way of disciplining children at school and at home, which results in serious human rights violations. A College of the Bahamas survey showed that abuse was only considered so if it resulted in severe bodily harm.[13] In the same study, it was reported that 77 per cent of adults in the Bahamas thought it was sometimes necessary to hit or physically punish a child to correct misbehaviour. Unfortunately, the prevalence of child abuse seems to be on the rise. In 2015, the then Minister of Social Services announced that child abuse cases had grown by an estimated 22 per cent between 2013 and 2014. As many studies have previously shown, corporal punishment inflicts serious damage on the physical, psychological and social development of children, with an increased tendency for children who have been abused to resort to violence when they are adults and to regard such violence as normal.

Migrant women

19. Many migrant women and women of Haitian descent live in poor and densely populated shanty towns, where they are confronted with an array of challenges, including discrimination on the grounds of gender and ethnic origin. In addition to the discrimination they face, many do not have identity documents and national passports, which hampers their ability to obtain a job or a house. Their low socioeconomic status and social exclusion exposes them to multiple and intersecting forms of violence, including domestic violence. The Special Rapporteur is concerned that many of the individuals she met told her that many migrant women who are victims of gender-based violence decline to call the police for assistance, for fear of possible deportation.

20. During her visit, the Special Rapporteur was made aware of the implementation of measures purportedly aimed at curbing irregular migration, which results in the detention and swift deportation of hundreds of individuals, disproportionately targeting the community of Haitian descent, some of whom may have been born in the Bahamas. That is reminiscent of the 2014 immigration policy, which also provided a very short window for persons to regularize themselves in line with the national law, but thereafter resulted in mass detention of mostly Haitian migrants. No individual who can prove to have been born in the Bahamas and has a right to Bahamian nationality should be expelled, especially as many have to wait for nationality documents for several years. In order to avoid the expulsion of someone born in the Bahamas with a right to Bahamian nationality, someone entitled to refugee status, or an individual victim of trafficking, legal counselling on the procedures available, including due respect for the principle of non-refoulement, must be provided, in line with general recommendation No. 32 (2014) of the Committee on the Elimination of Discrimination against Women on the gender-related dimensions of refugee status, asylum nationality and statelessness of women.

Trafficking in persons

21. In 2013, the Special Rapporteur on trafficking in persons, especially women and children, conducted an official visit to the Bahamas, during which she identified several factors which made the country ripe for trafficking in persons (A/HRC/26/37/Add.5). While the Bahamas enjoys a relatively high standard of living for the region, its economy, largely dependent on tourism and offshore banking services, leaves certain groups vulnerable to trafficking for sexual or labour exploitation. Furthermore, the seasonal and informal

[12] See, for example, www.royalbahamaspolice.org/aboutus/cop_plan_2016/cpp_16.pdf.

[13] Shane Brennan and others, "A preliminary investigation of the prevalence of corporal punishment of children and selected co-occurring behaviours in households on New Providence, the Bahamas", *College of the Bahamas Research Journal*, vol. 16 (2010).

employment that characterizes migrant work in the Caribbean also increases those vulnerabilities.

22. Since the visit of that Special Rapporteur, the Bahamas has been upgraded from tier 2 to tier 1 on the country watch list in the United States of America State Department report on trafficking in persons. That is notably due to a public awareness campaign, including the use of pamphlets in English and Creole to inform the population about their rights, and other prevention efforts undertaken by the Inter-Ministry Committee on Trafficking in Persons in follow-up to the recommendations of the Special Rapporteur on trafficking in persons, especially women and children. While welcoming the progress made, the Special Rapporteur on violence against women, its causes and consequences notes, however, that only three cases of trafficking were opened in 2017. Regular training for law enforcement and border officials should therefore continue to take place. The training should target the identification of all forms of trafficking in persons, including victims of labour exploitation.

Violence against specific groups at risk, including lesbian, bisexual and transgender persons

23. During her visit, the Special Rapporteur was informed that lesbian, gay, bisexual and transgender persons suffer hostility, discrimination and violence because of their sexual orientation or gender identity. Given the current stigmatization of homosexuality in Bahamian society, there is a concern that the discrimination they face could influence police attitudes, thereby having an impact on sexual assault investigations. The Task Force for Gender-Based Violence noted that crimes against lesbian, gay, bisexual and transgender individuals, such as rape, sexual assault and domestic violence, were among the most unreported and undocumented crimes.[14]

Women in poverty

24. The percentage of Bahamians living at or below the poverty level jumped from 9.3 to 12.8 per cent between 2001 and 2013 (see CEDAW/C/BHS/6, para. 13). As is widely documented, the great majority of those living in poverty globally are women.[15] In June 2015, the Bahamian authorities launched a new social safety net programme entitled "Renewing, Inspiring, Sustaining, and Empowering" with the aim of reducing the number of Bahamians living at or below the poverty level. Enrolment began in March 2016 and by May 2016, 382 households had enrolled. The programme was however discontinued in September 2017. The Special Rapporteur believes a careful assessment of the implications of the discontinuation of the programme should be made available to the public to ensure that those in need, particularly women, will not suffer any adverse effects.

Women in politics

25. At the time of the visit, there was only one woman with a seat in the Cabinet and only 13 per cent (5 out of 39) members of the House of Assembly were women. While women accounted for slightly less than 50 per cent of senators (7 out of 16), it is noteworthy that they are appointed by the Governor-General, not elected by citizens. During her visit, the Special Rapporteur was made aware of negative comments that had been made about a well-known woman politician when she tried to run for leadership of the opposition in 2017, which is a sign of the degree of acceptance of women in politics. In the light of article 4.1 of the Convention on the Elimination of All Forms of Discrimination against Women and general recommendation No. 25 (2004) of the Committee on the Elimination of Discrimination against Women on temporary special measures, the opportunities for women to occupy high-level positions should be significantly improved.

[14] See National Task Force for Gender-Based Violence, *Strategic Plan to Address Gender-Based Violence*, p. 19.

[15] See, for example, www.un.org/womenwatch/daw/beijing/platform/poverty.htm.

IV. Incorporation of international and regional frameworks on violence against women

A. International framework on violence against women and human rights

26. The Bahamas is party to a number of core international human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women, to which it acceded on 6 October 1993. It is also party to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, all of which contain protective provisions for women and girls. The Bahamas has also signed the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and during the third cycle of the universal periodic review in 2018, it indicated that it intended to ratify it in the near future.

27. The Special Rapporteur welcomes the lifting, in 2011, of reservations on article 16 (h) on marriage and family relations of the Convention on the Elimination of All Forms of Discrimination against Women. However, the Bahamas maintains a few reservations to the Convention, owing to some of its constitutional provisions and laws that allow sex-based discrimination against women. In particular, it does not consider itself bound by the provisions of article 2 (a) and article 9 (2) on nationality. The Special Rapporteur believes that the Bahamas should take steps to examine the compatibility of its reservations with its obligations under international human rights law and Sustainable Development Goal 5 on gender equality, with a view to their withdrawal.

28. In its general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, the Committee on the Elimination of Discrimination against Women explained that it considered article 2 to be essential to the obligations of States parties under the Convention and that reservations to article 2 were incompatible with the object and purpose of the Convention, and thus impermissible. Lifting reservations to article 9 (2) of the Convention is equally necessary, as discriminatory provisions on matters related to nationality are also included in the Constitution of the Bahamas (see more below).

29. The Special Rapporteur regrets that the Bahamas has not ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, despite its commitment to do so during the second cycle of the universal periodic review in 2013. Ratifying the Optional Protocol would provide women victims of gender-based violence with the ability to lodge complaints before the Committee on the Elimination of Discrimination against Women, in addition to the appropriate guidance the State might receive from the Committee on how best to implement the provisions contained in the Convention. The Special Rapporteur believes that ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and of the International Labour Organization Domestic Workers Convention, 2011 (No. 189) would provide adequate protection for women.

30. At the regional level, the Bahamas has ratified the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women. Recently, the Government has prepared responses to the Committee of Experts of the follow-up mechanism to the Convention (MESECVI) on the steps it is taking to ensure that the articles of the Convention are incorporated within its national laws and in practice.

B. United Nations monitoring mechanisms

31. The Special Rapporteur commends the Bahamas for extending a standing invitation to all special procedures mandate holders in June 2013. Noting that she is only the second human rights expert to visit the country, as well as the country's bid for a seat on the Human Rights Council, she hopes that her visit will be the first of many steps in continuing engagements with international human rights bodies and mechanisms.

32. The third cycle of the universal periodic review of the Bahamas took place in January 2018. During the review, the Government announced a number of reforms which, if duly implemented, have the potential to make an effective contribution to enhancing women's human rights. Conversely, the Special Rapporteur notes that during the 2013 review, the Bahamas committed to implementing several recommendations, such as the ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, which it has still to honour.

33. In terms of its reporting obligation under the Convention on the Elimination of All Forms of Discrimination against Women, the Bahamas will be reviewed by the Committee on the Elimination of Discrimination against Women later in 2018. At the time of the Special Rapporteur's visit, the State had already submitted its sixth periodic report. Officials with whom she met also reported that the Government would conduct an awareness campaign on the Convention during the first quarter of 2018. The Special Rapporteur welcomes the participatory process that accompanied the drafting of the national report, which involved a number of national agencies and other stakeholders.

V. State responsibility and measures to address violence against women

A. Legislative framework

1. Constitution

34. The Bahamas has a dualist legal system. As a result, international treaties, including the Convention on the Elimination of All Forms of Discrimination against Women, do not have direct applicability in the domestic legal order, which poses some obstacles to the effective implementation of international human rights instruments. Nonetheless, the Constitution explicitly recognizes the importance of human rights for the achievement of social and economic development.

35. Article 15 of the Constitution on fundamental rights and freedoms guarantees that "every person in The Bahamas is entitled to the fundamental rights and freedoms of the individual, that is to say, has the right, whatever his race, place of origin, political opinions, colour, creed or sex ...". However, under article 26, which defines discrimination, the Constitution does not prohibit discrimination on the basis of sex. Under article 26, the expression "discriminatory" refers only to "different treatment to different person attributable wholly or mainly to their respective descriptions by race, place of origin political opinions colour or creed whereby person of one such description are subjected to disabilities or restrictions to which person of another such description are not made subject or are accorded privileges or advantages which are not accorded to persons of another such description". As a result, there is a discrepancy between article 15 and article 26, which is interpreted in a manner that allows formal legal discrimination against women. The absence of a provision on equality between women and men enshrined in the Constitution and the Government's reservations to the Convention on the Elimination of All Forms of Discrimination against Women on this matter are of serious concern with regard to the domestic legislative framework. In the view of the Special Rapporteur, a new interpretation of the relationship between articles 15 and 26, or amendments to the Constitution or appropriate laws, is necessary to prohibit sex-based discrimination and ultimately prevent violence against women.

36. The Special Rapporteur is aware of the two constitutional referendums aimed at ending gender inequality that have been held in the past decade and deeply regrets that both were rejected by voters. The most recent referendum, on 7 June 2016, took place only a few months before the general election, which might be interpreted as a vote against the ruling party, not necessarily a vote against gender equality. During the 2016 referendum campaign, some anti-lesbian, -gay, -bisexual, -transgender and -intersex groups claimed that the proposed explicit prohibition of discrimination on the basis of "sex" would de facto legalize same-sex marriage. That was not the issue at stake. Rather, approving the constitutional changes would have rightly enshrined the principle of equality between women and men in the Constitution, in line with article 2 of the Convention on the Elimination of All Forms of Discrimination against Women. In the opinion of the Special Rapporteur, interpretation of the legal discrepancy between articles 15 and 26 of the Constitution should not be an obstacle to enshrining the principle of equality between women and men. Rather, it would enable a progressive interpretation of human rights standards in line with article 2 of the Convention, which requires States parties to embody the principle of the equality of men and women in their national constitutions or other appropriate legislation. The Special Rapporteur encourages the Government to work on other possible ways to bring its legal framework into line with its international obligations.

37. According to chapter II of the Constitution, only a Bahamian man, not a woman, who has a child born outside the Bahamas can pass on his Bahamian citizenship to his child. Not only does that violate the human rights of women to nationality, equality in the family or access to public services, but it may also cause statelessness for children, which in turn can lead to a cycle of statelessness that can be perpetuated from generation to generation. In November 2017, the Prime Minister announced that the Government intended to draft an amendment to the Nationality Act. The Special Rapporteur strongly encourages the authorities to pass an unequivocal law that will provide women with the ability to pass their nationality on to their children on an equal footing with men. Recognizing equal nationality rights for women would not only comply with international human rights law, but contribute to achieving the 2030 Agenda for Sustainable Development, which includes targets on eliminating all discriminatory laws, policies and practices. The gender inequality currently in force in the Constitution gravely discriminates against women and should therefore be promptly revised to grant Bahamian women equal rights with men.

2. National legal framework to eliminate violence against women

38. Currently, there is no comprehensive law on gender-based violence. The Domestic Violence (Protection Orders) Act, which came into force on 22 December 2008, focuses on domestic violence, defined as physical, sexual, psychological or financial abuse that is committed by a person against a spouse, partner, child or any other person who is a member of the household or a dependent. A new law on gender-based violence against women and domestic violence was proposed by the National Task Force for Gender-Based Violence in 2015. On that basis, the previous administration had started the process of drafting a bill on gender-based violence. The bill, prepared in 2016, is currently under review by the new administration. The Special Rapporteur believes that this provides the Government with a unique opportunity to make use of the newly adopted general recommendation No. 35 of the Committee on the Elimination of Discrimination against Women and develop comprehensive legislation to address all forms of gender-based violence against women and domestic violence. It would cover prevention, protection and prosecution measures and the coordinating machinery.

39. The Sexual Offences Act, amended in 2014, defines rape as the act of any person not under 14 years old having sexual intercourse with another person who is not his spouse without the consent of that other person (art. 3). As a result, it does not outlaw marital rape, except in narrowly-defined exceptional circumstances, such as if the couple is separating, is in the process of divorce, or if there is a restraining order in place. From the discussion the Special Rapporteur held with the Office of the Attorney General, she understands that the necessary revisions are currently under consideration. Following her visit, the Government announced during the universal periodic review that it had drafted an amendment to the Sexual Offences Act with a view to creating the offence of "aggravated spousal sexual

abuse". The draft clause, under discussion at the time of preparation of the present report, would provide victims with the ability to make a complaint within one year of the violation occurring. The Special Rapporteur notes that the proposed language may not be fully compliant with general recommendation No. 35, which calls upon States to ensure that the definition of sexual crimes, including marital and acquaintance/date rape is based on a lack of freely given consent, and takes account of coercive circumstances. The Special Rapporteur holds the firm view that the criminalization of (sexual) violence in the family, and marital rape in particular, does not constitute an attack on the family; rather it provides adequate protection against abuse that may be exercised by family members.

3. Access to sexual and reproductive health

40. Abortion is criminalized under section 295 of the Penal Code. The Special Rapporteur believes that the absence of legal provisions allowing abortion may lead women to seek unsafe and illegal abortions, thus placing them in a vulnerable situation. She holds the view that the conditions under which abortion could be legally available should be broadened, for example, to (but not limited to) instances of rape and incest.

41. A new law on gender-based violence against women could also ensure the removal of the inconsistency currently in place between the age for sexual consent, which is 16, with that for receiving contraceptive and other health services without requiring parental consent, which is 18. The current inconsistency exposes girls to HIV infection and other sexually transmitted diseases. A new law should ensure that girls aged 16 can receive adequate sexual and reproductive health services without parental consent.

4. National law on child abuse

42. The Early Childhood Care (National Standards) Regulations, 2015, prohibits the use of corporal punishment in day-care centres and preschools. However, it does not prohibit corporal punishment in elementary, secondary or senior schools, which can still be administered by the principal or administrator. Furthermore, the legal framework does not prohibit corporal punishment by parents of their children. During the second cycle of the universal periodic review in 2013, the Bahamas rejected most of the recommendations related to the prohibition of corporal punishment of children in all settings, including in the home, schools and in all forms of alternative care and day-care settings. The traditional acceptance of violent, degrading and humiliating forms of punishment of children should prompt the authorities to take more robust action to address this very worrying trend. The Special Rapporteur believes that the Child Protection Act, which provides for mandatory reporting of child abuse, presents a suitable rights-based framework to protect girls and boys from this type of violence, but it should be strengthened. The abolition of corporal punishment in all places, including in schools and at home, should be explicitly incorporated into domestic civil and criminal legislation as a means of preventing violence against women and girls.

5. Women migrants and refugees

43. On 11 October 2017, the Prime Minister announced in parliament a deadline of 31 December 2017, by which irregular migrants had had to "regularize themselves" or face deportation. In the light of the significant backlog and systemic problems at the Department of Immigration, the very short time frame given was particularly concerning. While girls and boys born in the Bahamas to non-Bahamian parents have a right to be registered as citizens between their eighteenth and nineteenth birthdays, the backlog for processing their registration puts them at serious risk of deportation. The risk is heightened for individuals born in the Bahamas, many of whom are of Haitian descent, who chose not to obtain — or were unable to obtain — a Haitian passport, but do have a right to claim Bahamian citizenship. Until 2014, the Government issued all those born in the Bahamas to non-citizen parents with a certificate of identity, which served as a formal identity document and also as a travel document. However, that practice ceased in December 2014 with the introduction of new immigration measures that instead required each person to obtain a national passport. As a result, many individuals are now without any valid documents. During her visit, the Special Rapporteur was told about the case of a Bahamian-born

individual of Haitian descent who had been unlawfully expelled to Haiti. On 26 January 2018, the Supreme Court found that this individual had been "deprived of his personal liberty, unlawfully arrested and detained/falsely imprisoned" and "unlawfully expelled". The lack of legal status of migrant women puts them in a vulnerable situation, thus increasing the risk of gender-based violence. In that context, it is particularly urgent for the authorities to speed up the immense backlog of nationality applications for Bahamian-born individuals of Haitian descent so as to prevent gender-based violence against migrant women and reduce their vulnerability and exposure to poverty and exploitation.

44. The Special Rapporteur was also made aware of a few cases where single mothers have faced challenges in registering the birth of their child, because they do not have a valid government-issued identity document with a photograph. Without nationality documents, they face difficulties in accessing education and health care, opening bank accounts and acquiring legal employment. Furthermore, for undocumented migrant women with Bahamian-born children, or Bahamian women who have children with undocumented migrant men, the implementation of the October pronouncements could have the unintended consequence of separating families. Specific safeguards should be put in place to ensure adequate protection for the family.

45. During her visit, the Special Rapporteur had the opportunity to visit the Carmichael Road detention centre where "illegal" immigrants are held pending a decision on whether they are to be deported or not. At the time of her visit, there were 176 detainees in the centre, 32 of whom were women. The following week, 114 were to be deported. The Special Rapporteur noted that women with children were kept in a "safe house", in a separate location. At the time of the visit, a scabies outbreak was prevalent in the centre. The Special Rapporteur is concerned that the detention facility does not comply with international standards, including the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders. Migrants are detained in five large compounds, each of which can accommodate up to 40 individuals. While the compound reserved for women was not at its maximum capacity at the time of the visit, those for men were overcrowded. Reportedly, owing to the lack of beds, some women migrants are compelled to sleep on the floor and have limited intimate privacy. There is no full-time medical officer at the centre. In the context of an increasing influx of migrants, the Special Rapporteur has serious concerns about the situation of refugees, asylum seekers and trafficked persons, who may be arrested, detained and deported, even before being identified and provided with support. Furthermore, it was unclear whether the officer providing counselling to migrants about their rights had received any training with respect to the identification of refugees and trafficking victims. Given the deficient conditions within the Carmichael Road detention centre, where women and men are held pending deportation, the authorities should also make renewed efforts to reduce overcrowding, promptly improve hygienic conditions and protect the rights of migrants, including by adopting legal safeguards to prevent arbitrary detention. A monitoring visit by the Working Group on Arbitrary Detention might contribute to assisting the State to fulfil its human rights obligations.

46. While the Bahamas has acceded to the 1951 Convention relating to the Status of Refugees, it has not enacted any asylum procedures or refugee legislation, which means that asylum seekers and refugees are managed by the authorities on an ad hoc basis. According to the information received during the visit, no individual has been granted asylum since 2011. In the light of bilateral agreements signed with Cuba and Haiti for the expedited removal of irregular migrants, additional training for law enforcement officials is needed to properly identify refugees and victims of trafficking. Individual screening processes and information about the processes available for those willing to regularize their status are necessary to meet international human rights obligations. The elaboration, adoption and implementation of a law on refugees, consistent with international standards, would allow the Government to address the current legislative gap. Until refugee legislation is adopted, the authorities should ensure fair and efficient procedures for conducting refugee status determination and appeals through a careful individual assessment of each migrant that may be impacted by these measures. Further, no individual who can prove that he or she has been born in the Bahamas should be expelled.

B. Policy framework

47. The Special Rapporteur commends the remarkable work of the Bureau of Women's Affairs and the Department of Family and Women's Affairs that succeeded it, both of which have been on the frontline of combating gender-based violence against women and girls in the Bahamas.

48. In the light of the link between gender-based violence against women and sex-based discrimination, the adoption of a national policy for gender equality, which, at the time of the Special Rapporteur's visit, was being reviewed by the new administration, would be a very important tool for addressing the root causes and the many shortcomings related to preventing violence against women.

49. The Special Rapporteur further commends the authorities for having appointed a National Task Force for Gender-Based Violence to oversee the development, implementation and coordination of a national strategic plan to address gender-based violence against women. She also commends the significant work done by the Task Force in elaborating the national strategy on gender-based violence and its multisectoral implementation plan. The National Strategic Plan to address gender-based violence, unveiled in 2015 after three years of concerted effort by the authorities and relevant stakeholders, identifies 10 "low-hanging fruit," which are 10 programmes of prevention intended to be carried out in the first year of implementation. Among them, the Special Rapporteur particularly welcomes the elevation of the Bureau of Women's Affairs into the Department of Gender and Family Affairs within the Ministry of Social Services and Urban Development in October 2016. However, most of the other measures from the Plan are yet to be implemented. The Plan was mostly adopted by the previous administration in February 2016 and an implementation plan of US$2.5 million was envisioned at that time. The implementation process was, however, suspended after the Plan had been sent back to the House of Assembly for budget approval. The Special Rapporteur strongly encourages the authorities to take steps to resume its implementation. If implemented properly, its programmes would have a high probability of favourable outcomes within a short period of time.

50. The Special Rapporteur believes an integrated response to eliminating violence against women is essential to addressing all kinds of gender-based violence. As a result, she supports the Task Force proposal for the establishment of a high-level coordination authority on gender-based violence against women that would oversee the implementation of the law and national strategy. That authority could also oversee the work of those who provide counselling to victims, with a view to ensuring that their efforts comply with international human rights law.

51. In addition to the outstanding work of the Task Force, the Special Rapporteur has also been impressed by the work carried out by the Division of Youth of the Ministry of Youth, Sports and Culture, which does noticeable work in raising awareness among youth of the gender social norms and cultural stereotyping that can result in gender-based violence. The youth leaders certification programme run by the Division provides youth between 18 and 25 with a useful opportunity to engage in thought-provoking and inspiring discussions on the meaning of key human rights principles and values, such as equality, non-discrimination and mutual respect. The Special Rapporteur encourages the Division of Youth to pursue its efforts, including through the inclusion of international human rights law, such as article 5 (a) of the Convention on the Elimination of All Forms of Discrimination against Women, which requires States parties to take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to eliminating prejudices and practices based on the idea of the inferiority or superiority of either sex.

52. The Special Rapporteur was also pleased with the dedication and sensitivity shown in addressing violence against women by a number of the service providers and law enforcement officials with whom she met. The Special Rapporteur appreciates that social services are available in the Family Islands. However, she notes that there is a feeling in the

Family Islands that public services do not receive the same level of support as in New Providence.

53. Given the archipelagic nature of the Bahamas, efforts made to increase cooperation across the islands are noteworthy. During her visit, the Special Rapporteur attended a session of the standing CompStat meeting of the police, which enables communication between high-ranking officers in the Family Islands. The police also informed the Special Rapporteur that all officers have daily communication through information and communications technology. The Special Rapporteur further commends the Royal Bahamas Police Force for employing special protocols for dealing with children who are sexually abused. She encourages the police to increase the number of women police officers, especially those deployed on the ground to deal with cases of domestic violence. The Special Rapporteur also encourages the authorities to continue training law enforcement officials dealing with domestic violence. In particular, training should be provided on gender-based violence against women and girls for all entities, including police officers, border and immigration officials, health-care and welfare agencies, and justice system personnel. The training would be victim-centred and include information concerning access to services based on a comprehensive and standardized understanding of all forms of gender-based violence.

54. Finally, the Special Rapporteur is encouraged by the announcement of a bill that would result in the creation of an office of the ombudsperson, which would have the task of providing "a direct source of relief, where people have legitimate grievances due to the actions or inactions of the Government or any agency of the Government" (see A/HRC/WG.6/29/BHS/1, para. 123). She believes the establishment of a national human rights institution in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights would be a positive step towards strengthening the promotion and protection of women's human rights.

VI. Gaps and challenges in fulfilling the obligations of the State to eliminate violence against women

A. Prevention

55. The true extent of violence against women in the Bahamas is unclear, owing to a lack of statistical information with common indicators and disaggregated information. While the police collect some data, it is not comprehensive because it only concerns alleged crimes that are reported. In turn, the dearth of comprehensive, disaggregated and centralized statistics prevent the authorities from adopting coherent and comprehensive initiatives, including targeted preventive actions. Officials with whom the Special Rapporteur met recognized that the lack of appropriate data was a challenge that needed to be overcome. In that context, the Special Rapporteur reiterates the call she made to all States to establish a femicide watch or gender-related killing watch, or an observatory on violence against women, as a useful tool for regularly collecting, analysing and publishing data on the number and characteristics of complaints, prosecutions and convictions of femicide, rape and other forms of gender-based violence, with a view to adopting a focused prevention strategy. Adopting and implementing such preventive measures is necessary to identify any shortcomings in legislation or practice and take appropriate measures to address gender-based violence against women and girls.

56. Furthermore, centralizing and sharing data across agencies and more generally with the public would also prove useful. Supporting efforts to strengthen women's understanding of their rights and of the public aid services available is likely to foster women's human rights. For instance, the Ministry of National Security could publish the police priorities and strategies with regard to violence against women and keep the public informed of their actions through regular follow-up reports.

57. Improving public awareness, education and the dissemination of information regarding the services available for victims of gender-based violence is crucial for women

and girls in understanding, claiming and exercising their rights. While the Government recognizes that crime and violence are urgent matters, more efforts should be made to support research and analysis to enhance the understanding of the extent of violence against women and adopt appropriate counter-strategies. The urban renewal project, which is a community policing crime prevention programme run by the police, could play a positive role in supporting education on and raising awareness of gender-based violence. Public education targeting women and girls is particularly welcome, but the Special Rapporteur would also like to encourage the authorities to target men and boys in awareness-raising campaigns and to engage men in changing and eliminating patriarchal stereotypes that portray women as inferior to men. The "batterers programme" run by the Catholic diocese in New Providence, which provides sessions given by professional therapists for men who abuse their partners, could also be expanded to the Family Islands.

B. Protection

58. At the time of the Special Rapporteur's visit, there were only three shelters for victims of domestic violence in operation. A fourth shelter exists but it was being rebuilt following damage caused by hurricane Irma in the summer of 2017. It is clear that there is a deficit in places of refuge for women, especially for women and girls who live outside the capital city. Even in Nassau the options are sparse. In fact, one of the shelters primarily serves homeless women, not women victims of gender-based violence, another has only three bedrooms and the last one is selective as to which individuals it will assist.

59. Given that the community in the Bahamas is small and interconnected, the provision of safe and confidential places where women victims can be protected is highly desirable. Reportedly, even where there are shelters, they do not always have space readily available for women victims. Single women and mothers with children, including boys over 10 years of age, looking for shelters are said to be at particular risk, notably at night. While the Church is often entrusted with family dispute resolutions, this may not always be the best option for securing women's rights. In the view of the Special Rapporteur, an appropriate number of shelters, especially in the Family Islands, are urgently needed. At least one shelter capable of admitting women and children around the clock should be available in every region of the State, including rural areas. One shelter place for every 10,000 inhabitants could serve as a benchmark (see A/HRC/35/30, para. 108).

60. The lack of shelters is also a challenge for girls who are pregnant. According to the information received, pregnant teenagers are placed in a special school operated by the PACE (Providing Access to Continued Education) Foundation until after the birth of their children, to avoid stigmatization. However, there are no special shelters for pregnant girls or special care for their children when they return to school. In addition, pregnant teenagers or young mothers are unable to access or receive services without parental consent, because they are still considered children. In the absence of family support, they may be left isolated without any resources.

61. The Sexual Offences Act allows for protection orders, enforceable by the police, to be issued by the courts to protect victims from their perpetrators. Protection orders can be issued promptly, but unfortunately it appears that the police do not always inform women that they have the right to apply for a protection order. Furthermore, longer-term protection orders are also said to be difficult to obtain. The Special Rapporteur encourages the authorities to look into the efficiency of protection orders, which protect women's right to live free from violence. They should be available on the basis of complaints by victims, as seeking further evidence may lead to delays, which puts victims at greater risk. The Government may also consider removing administrative or judicial burdens, such as the need to summon perpetrators for long-term protection orders to be issued.

62. The Special Rapporteur also welcomes the work of the Eugene Dupuch Legal Aid Clinic, which provides free legal services, including for women and girl victims of gender-based violence. She encourages the authorities to speed up the backlog of demands for legal aid. Ensuring the right to legal assistance and to free legal aid for victims is especially essential for those living in the Family Islands.

63. Civil society organizations play a key role in supporting and providing counsel to women victims. However, funding and financial sustainability are major issues for civil society organizations in the Bahamas, including for the unanimously recognized crisis centre that provides counselling, legal advice, advocacy and operates hotlines 24 hours a day, 7 days a week for victims of violence, but without sufficient sustainable financial support for its work. For example, a shelter run by the Reliant Mission has recently appealed to the public as being in serious financial distress, which limits its ability to provide aid. Sufficient human and financial resources in support of women's organizations are necessary for them to assist survivors of human rights abuses. Adequate financial and human resources are also necessary for the effective implementation of programmes to prevent and combat gender-based violence against women operated by non-governmental organizations, such as the establishment and running of shelters.

64. Furthermore, the Special Rapporteur is concerned about an increasingly hostile discourse targeting human rights defenders in the country. Protecting human rights defenders against retaliation, harassment, threats or discrimination is essential for them to contribute effectively to the elimination of gender-based violence against women and to promote human rights in general.

C. Prosecution

65. In its general recommendation No. 35, the Committee on the Elimination of Discrimination against Women makes it clear that States parties will be responsible if they fail to take all appropriate measures to prevent, investigate, prosecute, punish and provide adequate reparation for gender-based violence against women. According to the information received, only a limited number of cases related to violence against women are brought before the courts for redress. For instance, while 3 of the highest 10 recorded rape rates in the world occur in the Caribbean,[16] only a few rape cases have resulted in the sentencing of perpetrators. The underreporting of human rights abuses against women has extraordinarily adverse consequences for victims and society as a whole. Not only does it leave the victim in profound emotional distress and at risk of further abuse, it also sends a signal that such crimes will go unpunished, which will deter other victims from coming forward. The prosecution of allegations of gender-based violence is essential to making the public aware that there will be from now on zero tolerance for violence against women.

66. In that context, the Special Rapporteur is seriously concerned at the significant backlog within the court system, which has deterred people from turning to the judiciary. In an effort to tackle the backlog of cases, a task force has been established to review outstanding cases. Since 2013, the Office of the Attorney General has also made some progress on tackling the backlog of criminal cases through the "Swift Justice" project. However, much more is needed to deal with the delay in prosecutions.

67. Survivors of human rights abuses suffer severe trauma that can only be healed by prompt and effective redress. In the absence of prompt prosecution, victims may move on and decide to abandon criminal proceedings, allowing perpetrators to enjoy impunity. In spite of the National Strategic Plan to address gender-based violence, which aims to create a more unified and family-friendly court system, the challenge is a daunting one. In response to the 2012 concluding observations of the Committee on the Elimination of Discrimination against Women, the Government announced that a specific sexual offences unit had been established within the Department of Public Prosecutions and a case management process implemented to ensure that cases were addressed effectively (CEDAW/C/BHS/CO/1-5/Add.1). The Special Rapporteur believes specialized courts, such as a sexual offence court, could alleviate judicial backlogs. The Government should also work to secure speedier access to justice for victims, including by ensuring that the proceedings may continue, even if the victim withdraws her complaint.

[16] See UNODC and the Latin America and the Caribbean Region of the World Bank, *Crime, Violence, and Development*, p. 12.

68. Increasing the number of investigations and prosecutions of cases with a victim-centred approach, including by protecting the privacy and identity of victims through strategies to obtain evidence for successful prosecution without testimony, could also be explored further. A gender-sensitive approach during investigation, evidence collection and other actions is necessary to avoid stigmatization and revictimization. More training for police officers on understanding the evidence that should be preserved during investigations would be welcome. The Special Rapporteur also received anecdotal evidence indicating that the physical location where women complainants undergo medical and forensic examinations for the gathering of vital evidence does not augur well for protecting their confidentiality or providing the type of atmosphere conducive to the examination of victims. Private areas should be made available in hospitals so that victims' rights to confidentiality, which is essential to their recovery, is respected at all times.

VII. Conclusions and recommendations

69. **The Bahamas started to address violence against women only a few years ago, but it still has a long way to go to prevent and eliminate violence against women and girls, its causes and consequences. Despite the efforts invested in the elaboration of a robust National Strategic Plan to address gender-based violence, the status of the Plan is still uncertain and it is not yet being implemented. The Special Rapporteur believes that greater efforts to tackle the root causes of violence against women are necessary to eliminate gender-based violence against women and girls. Violence against women is entrenched in a broader legal framework that lacks appropriate legal provisions prohibiting sex-based discrimination against women and enshrining the principle of gender equality, which thus allows discrimination against women. Because of the legal obstacles, coupled with patriarchal norms regarding the role of men, women and girls face structural sex-based discrimination and physical and other forms of gender-based violence. In that context, it is necessary to bring the national legal framework, including the Constitution, into line with the international framework provided by the Convention on the Elimination of All Forms of Discrimination against Women and other human rights instruments.**

70. **Ending violence against women requires the support of every stakeholder, not only State officials, but also the Church, the media, community representatives and the private sector. Since violence against women has a profound social dimension, rather than being merely an individual phenomenon, as has been rightly pointed out by the Committee on the Elimination of Discrimination against Women in its general recommendation No. 35 (2017) on gender-based violence against women, everyone should speak in favour of gender equality and women's rights. Every person holding a position of public responsibility, including in the Church, should call for explicit constitutional protection for gender equality and non-discrimination between women and men in the public and private spheres. Awareness-raising and education on women's human rights is needed to strike the right balance between tradition and respect for human rights.**

71. **The structural and social underpinning of gender-based discrimination and violence are tremendous challenges to address. However, the Special Rapporteur believes that the Bahamas can achieve those results in line with its own policy on violence against women by implementing a number of legislative reforms that it has already prepared, such as the National Strategic Plan on gender-based violence or the bill on gender-based violence against women. The Special Rapporteur believes that the authorities should reflect on the role that could be given to the Task Force on Gender-based Violence in this context. She firmly believes that the adoption and implementation of the National Strategic Plan and a comprehensive law protecting women from gender-based violence and all victims from domestic violence can contribute to putting an end to gender inequality, which today perpetuates a state of acceptance of violence.**

72. **The Special Rapporteur is convinced that the following immediate legislative reforms are needed: the incorporation of the principle of equality between women and**

men in the Constitution or other appropriate law; the revision of discriminatory provisions against women in nationality laws; the prohibition of marital rape and corporal punishment; and reform of the sexual and reproductive health services. At the same time, prioritizing education on gender equality and the end of impunity for murders, rapes and other serious crimes through increased investigation and prosecution, in line with general recommendation No. 33 (2015) of the Committee on the Elimination of Discrimination against Women on women's access to justice, is vital. Capitalizing on its recent election, the new administration should take the opportunity to demonstrate its commitment to eliminating the root causes of gender-based violence against women and a vicious circle of violence.

A. Law and policy reforms

73. **The Special Rapporteur recommends that the Government of the Bahamas:**

(a) **Ensure full incorporation and systematic application of the Convention on the Elimination of All Forms of Discrimination against Women and the recently adopted general recommendation No. 35 of the Committee on the Elimination of Discrimination against Women into legal and policy frameworks;**

(b) **Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;**

(c) **Withdraw all remaining reservations to articles 2 and 9 of the Convention on the Elimination of All Forms of Discrimination against Women;**

(d) **Embody the principle of equality between women and men in the Constitution or other appropriate law, including by adding sex to the list of prohibited discrimination in article 26 of the Constitution;**

(e) **Repeal any laws that discriminate against women;**

(f) **Amend nationality laws to ensure that Bahamian women and men are able to confer nationality on their children on an equal basis, regardless of the child's place of birth or the marital status of the parents;**

(g) **Introduce legal provisions that would allow Bahamian women to confer nationality on their non-Bahamian spouses, as is currently the constitutional entitlement enjoyed by the non-Bahamian spouses of Bahamian men, with a view to achieving full and effective equality of rights between women and men regarding the acquisition, change and retention of their nationality;**

(h) **Revise or adopt new criminal law provisions to prohibit marital rape, including by ensuring that the definition of sexual crimes, including marital and acquaintance/date rape is based on the lack of freely given consent, and takes account of coercive circumstances, in line with general recommendation No. 35 of the Committee on the Elimination of Discrimination against Women;**

(i) **Ensure that adolescent girls can access safe sexual and reproductive health services without parental consent, including access to safe abortion and post-abortion services, in line with general recommendation No. 24 (1999) of the Committee on the Elimination of Discrimination against Women on women and health;**

(j) **Adopt appropriate legislative and educational measures to protect children from all forms of violence, such as corporal punishment, in all places, including in schools and at home;**

(k) **Develop, enact and implement legislation consistent with international standards, to ensure fair and efficient procedures for conducting refugee status determination;**

(l) **Finalize, adopt and implement the National Strategic Plan to address gender-based violence and the national policy for gender equality;**

(m) Establish a high-level coordination authority on gender-based violence against women that would oversee the implementation of domestic laws and the national strategy on gender-based violence against women;

(n) Strictly regulate the acquisition, possession and use of firearms, which can be used to commit rape and other sexual violence, assault and domestic violence;

(o) Strengthen efforts to combat discriminatory gender stereotypes in society, in cooperation with women's rights organizations.

B. Support services, awareness campaigns and data collection

74. The Special Rapporteur recommends that the Government of the Bahamas:

(a) Allocate greater human and financial resources to the Department of Gender and Family Affairs for the effective fulfilment of its mandate;

(b) Increase public awareness of the ratification by the State of the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, with a view to accelerating the implementation of a legal and policy framework on violence against women;

(c) Provide training to law enforcement and border officials, members of the judiciary and social workers on the Convention and on general recommendation No. 35 of the Committee on the Elimination of Discrimination against Women;

(d) Ensure that protection orders are duly enforced by public officials and are easily obtainable for all forms of violence against women, and consider removing the need to summon perpetrators for long-term protection orders to be issued;

(e) Establish an appropriate number of State-funded shelters for women victims of violence, especially in the Family Islands, and ensure that there is a fully funded national helpline that is available 24 hours a day, 7 days a week;

(f) Regularly collect, analyse and publish statistical data on all forms of gender-based violence against women, through a femicide watch or observatory on violence against women, with aggregated data on the number of complaints, convictions and reparations made to victims;

(g) Support the work of human rights non-governmental organizations, including by allocating them appropriate financial resources and protection from any kind of retaliation or intimidation as a consequence of their human rights work.